

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 TERRILL ROBINSON,

Case No. 2:18-cv-01024-RFB-NJK

8 Plaintiff,

ORDER

9 v.

(Stip Vacate ENE – ECF No. 14)

10 WYNN RESORTS, LTD.,

11 Defendant.

12 Before the court is the parties' Stipulation and Order to Vacate the Early Neutral Evaluation
13 (ECF No. 14).

14 The Complaint in this case was filed June 6, 2018. The Answer (ECF No. 6) was filed July
15 11, 2018. Pursuant to LR 16-6(d), "[u]nless good cause is shown, the early neutral evaluation
16 must be held by the court not later than 90 days after the first responding party appears in the case."
17 The Order (ECF No. 8) scheduling the ENE in this case was filed July 23, 2018, and set for October
18 4, 2018—the court's earliest available date within the 90-day deadline pursuant to LR 16-6(d).
19 Fifteen days before the scheduled date, counsel ask to continue the ENE because "Plaintiff's
20 counsel has had another Early Neutral Evaluation set on the same day but at 9:30 a.m."

21 The court is referred a large amount of settlement conferences and ENEs. The court can
22 continue this matter one time to 9:30 a.m. November 30, 2018. Discovery in this case will close
23 January 7, 2019 according to the discovery plan and scheduling order entered in this case (ECF
24 No 11). Holding an ENE this close to the discovery cutoff frustrates the purpose of what is
25 supposed to be an *early* neutral evaluation. No further extensions will be granted.

26 Having reviewed and considered the parties' stipulation,
27
28

///

IT IS ORDERED that:

1. The parties' Stipulation to Vacate the Early Neutral Evaluation (ECF No. 14) is **GRANTED**.
2. The ENE currently set for October 4, 2018, at 1:30 p.m. is **VACATED** and **CONTINUED** to **9:30 a.m., November 30, 2018**. Confidential ENE statements shall be due not later than **4:00 p.m. November 26, 2018**.
3. The parties shall have until **September 27, 2018** to file a request to vacate the ENE if they are unavailable to attend the ENE on this date.
4. All other instructions contained within the original Order Scheduling Early Neutral Evaluation (ECF No. 9) remain in effect.

DATED this 21st day of September 2018.

Peggy A. Leen
PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE